REMARKS

Claims 6, 8-10 and 13-16 are pending in this application. Claim 6 is amended herein. Support for the amendment of claim 6 is found throughout the application as originally filed. No new matter will be introduced by entry of this amendment and entry is respectfully requested.

Claims 6, 8-10 and 13-16 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse this rejection in view of the amendment and the remarks set forth below. In the event the Examiner does not agree with applicant's remarks, applicant respectfully requests an interview with a Examiner to further explain applicant's position.

Applicant respectfully submits that the claims contain subject matter which is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. First, with respect to a plural kind of dyes, as described above, in the present invention, each of the optical modulation members is provided with the plural kind of dyes. For example, assuming that the optical modulation members are electrophoretic particles, and colors for coloring the dyes are three colors of RGB, each of the electrophoretic particles is provided with three kinds of dyes for RGB. Before application of stimuli, all the electrophoretic particles are not distinct from each other, i.e., they are equivalent to each other. Thus, in a step of depositing the electrophoretic particles on the substrate, these particles may be deposited without distinction and therefore is not required to be deposited at a selected position on the substrate as in Katase.

After the electrophoretic particles are deposited on the substrate, in the present invention, the plural kind of stimuli is applied individually to predetermined different areas of the substrate, thereby coloring the dyes in each of the electrophoretic particles (optical modulation members) deposited on the different areas to different colors. Thus, the Examiner's interpretation of the claim limitation as, i.e., "thereby coloring one of said optical modulation members to one of a plurality of colors" does not reflect the above feature of the present invention. Thus, applicant respectfully submits that the amendment and remarks herein establish that the claimed invention is described in the specification. Applicant respectfully requests that the rejection of claims 6, 8-10 and 10-13 under 35 U.S.C. §112, first paragraph, be withdrawn.

Claims 6, 8-10 and 13-16 were rejected under 35 U.S.C. §103(c) as being unpatentable over Katase (U.S. Patent No. 6,525,865) in view of Loxley (U.S. Patent No. 6,262,833). Applicant respectfully traverses these rejections.

The process for producing an electrophoretic display of the present invention is characterized by providing optical modulation members each with a plural kind of dyes. Based on this feature, the optical modulation members can be uniformly deposited on a substrate irrespective of a position on the substrate, thus facilitating the depositing step.

In contrast, Katase discloses a process in which one of optical modulation members is provided with one of a plural kind of dyes. Loxley discloses a method in which one kind of dye is contained in optical modulation members. These optical modulation members of Katase and Loxley are required to be deposited in predetermined areas on the substrate.

Katase and Loxley fail to teach or suggest that each of the optical modulation members is provided with a plural kind of dyes since each of the optical modulation members in Katase and Loxley is provided with only one dye. Thus, each of the optical modulation members in Katase and Loxley is required to be deposited in a predetermined area on the substrate. On the other hand, in the present invention, each of the optical modulation members is provided with the plural kind of dyes, so that each of the optical modulation member can be deposited in any area on the substrate since the optical modulation members are uniformly provided with a plural kind of dyes. In view of the above remarks, applicant respectfully submits that claims 6, 8-10 and 13-16 are patentable over Katase in view of Loxley. Thus, applicant respectfully requests that the rejection of claims 6, 8-10 and 13-16 under 35 U.S.C. §103(a) be withdrawn.

Applicant has not independently addressed the rejections of the dependent claims. Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as to why the independent claims from which the dependent claims depend are believed allowable as discussed supra, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5185.

Respectfully submitted,
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Dated: February 4, 2008

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